

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-LRL

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

_____ /

**JOINT MOTION FOR DISMISSAL OF
DEFENDANTS HALL, HURLBUT, AND MERILLI AND STIPULATION**

Plaintiff CSX Transportation, Inc. (“CSXT”), and Defendants Norfolk Southern Railway Company (“NS”), Norfolk & Portsmouth Belt Line Railroad Company (“NPBL”), Jerry Hall, Thomas Hurlbut, Philip Merilli, and Cannon Moss (collectively, the “Parties”), by counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), agree to DISMISS Defendants Jerry Hall, Thomas Hurlbut, and Philip Merilli from this action, without prejudice, and with each party bearing its own attorneys’ fees and costs.

CSXT, NS, and NPBL further stipulate that any final award of injunctive relief against NPBL will be followed and undertaken by the present NPBL Board of Directors. As a result, the Parties attach as **Exhibit 1** an electronically endorsed copy of their Proposed Order which the Parties request this Court enter.

WHEREFORE, the Parties, by counsel, request that this Court dismiss Defendants Jerry Hall, Thomas Hurlbut, and Philip Merilli and enter the Parties' Proposed Order, attached as Exhibit 1.

Respectfully submitted this 24th day of February, 2020.

CSX TRANSPORTATION, INC.

**NORFOLK SOUTHERN RAILWAY
COMPANY**

By its attorneys,

By its attorneys,

/s/

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**JERRY HALL, THOMAS
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CERTIFICATE OF SERVICE

I certify that on this 24th day of February 2020, a true and correct copy of the foregoing was served on all counsel of record via Notice of Electronic Filing by filing with the Court's CM/ECF system.

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